

May 06 10 08:47p M ROBERT KESTENBAUM

505-323-0865

p.2

KANZLEI MAMMEL+MASER

02/03

S.  
OF USPTO  
(MM) 53 928  
09/551,252**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re: US Patent Application 09/551,252  
Filed April 18, 2000  
Applicant Brodbeck  
Art Unit 3724  
Primary Examiner Clark F. Dexter  
Telephone (571)272-4502  
Attorney Docket (MM) 53 928

RECEIVED  
CENTRAL FAX CENTER  
MAY 06 2010

Mail Stop Response with Fee - Art Unit 3724  
Commissioner for Patents  
PO Box 1450  
Alexandria, Va 22313-1450

Response to Quayle Action of 12/09/2009 under MPEP Section 406

Dear Examiner Dexter:

I note that under MPEP Section 406, in the event of the death of the Attorney of Record, Power of Attorney is revoked and is given back to the inventor.

This responds to the Quayle Action you issued on 12/08/2009. Unfortunately, the Attorney of Record, M. Robert Kestenbaum, passed away before he could file a response to this Quayle Action. The administrative office manager for M. Robert Kestenbaum's office discussed this situation with Tony Knight of the USPTO Petitions Office. He suggested that I submit this correspondence to you.

I, Adolf Brodbeck, am the inventor of the above identified application (09/551,252). My German attorney and I have reviewed your proposed amendments to the claims set forth in the Quayle Action, and have determined that I wish to have the claims allowed as you suggest in the Quayle Action. As the inventor of this application, I request that you issue an Examiner's Amendment to amend the claims as you suggested and allow the claims as thus amended.

05/07/2010 HMARZ11 00000027 09551252

01 FC:2253

555.00 OP

Brobeck  
(M/M) 53 928  
09/11,252

I appreciate your attention to this matter and look forward to your issuance of a Notice of Allowance for the claims as amended in your Examiner's Amendment.

I do not wish to engage a new US Patent Attorney at this stage of my patent application's examination, and hence, I state the following:

I hereby petition for a three month extension of time in which to respond to the outstanding Quayle Action. A PTO 2038 is submitted herewith to pay the prescribed \$555 small entity three month extension fee. I note the following:

- M. Robert Kestenbaum's office has historically used a credit card to pay PTO fees associated with his office's submissions to the USPTO. The PTO 2038 forms historically submitted by Mr. Kestenbaum's office for USPTO fee payments have been signed by Laurie E. Kestenbaum (his widow), and the credit card is issued in her name. Ms. Kestenbaum has agreed to submit a PTO 2038 (on behalf of Mr. Kestenbaum's office) authorizing charging her credit card for the prescribed \$555 fee on my behalf. This is the same credit card historically used by his office.
- If possible, I wish to have the Notice of Allowance mailed to M. Robert Kestenbaum's office at his address of record, and request that you allow his office to submit the Issue Fee and Publication Fee on my behalf.

If it is not possible to grant this request, please send the Notice of Allowance to:

Mr. Adolf Brobeck  
c/o Jochen Maser  
Mammel und Maser  
Patentanwälte  
Tilsiter Strasse 3  
D-71065 Sindelfingen  
Germany

I hereby certify this correspondence is being submitted by facsimile transmission on behalf of the inventor to 571 273 8300 on April 2010.

Respectfully Submitted,  
Adolf Brobeck  
GmbH & Co. KG  
72555 Metzingen  
Adolf Brobeck (Inventor)  
May 6, 2010. Laurie E Kestenbaum  
Laurie E Kestenbaum

**MAY 06 2010**Brodbeck  
(MM) 53 928  
09/551,252**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re: US Patent Application 09/551,252  
Filed April 18, 2000  
Applicant Brodbeck  
Art Unit 3724  
Primary Examiner Clark F. Dexter  
Telephone (571)272-4502  
Attorney Docket (MM) 53 928

Mail Stop Response with Fee - Art Unit 3724  
Commissioner for Patents  
PO Box 1450  
Alexandria, Va 22313-1450

Response to Quayle Action of 12/09/2009 under MPEP Section 406

Dear Examiner Dexter:

The following two page response to the Quayle Action of 12/09/2009 is submitted under MPEP Section 406, as per the instructions of Examiner Tony Knight of the USPTO Petitions Office. The submission has been duly signed by the inventor, requesting that you issue an Examiner's Amendment to amend the claims as you suggested in the above-mentioned Quayle Action and allow the claims based upon the claims as thus amended. As requested by the inventor, if possible, please send the Notice of Allowability to M. Robert Kestenbaum's office at 11011 Bermuda Dunes NE, Albuquerque, NM, 87111, and this office will submit the Transmittal of Fees and payment of fees on behalf of the inventor. If that is not possible, please send the Notice of Allowability to the address set forth in the inventor's response. That is the address for the inventor's attorney of record in Germany.

Thank you for your prompt attention to this matter.


I note that, for some reason, I am aware that the address of record has been mistakenly altered in the USPTO database, and correspondence to this office has been

Brodbeck  
(MM) 53 928  
09/551,252

sent to 11011 BERMUDA NE, rather than 11011 BERMUDA DUNES NE, in  
Albuquerque, NM (87111). Please ensure that your Notice of Allowability is sent to the  
correct address. Thank you in advance.

A PTO 2038 is included herewith authorizing charging my credit card for the  
prescribed three month extension fee.

Respectfully Submitted on Behalf of the Inventor and the Deceased Attorney  
(M. Robert Kestenbaum),



Laurie E. Kestenbaum